

Regular Session, 2010

SENATE BILL NO. 389

BY SENATOR HEBERT

COURTS. Constitutional amendment to provide for referendum election for certain new judicial districts. (2/3-CA13s1(A))

A JOINT RESOLUTION

Proposing to amend Article V, Section 15(B) of the Constitution of Louisiana, relative to judicial districts; to provide for the establishment of judicial districts; to provide for applicability; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article V, Section 15(B) of the Constitution of Louisiana, to read as follows:

§15. Courts; Retention; Jurisdiction; Judicial District Changes; Terms

* * *

(B)(1) Judicial Districts. The judicial districts existing on the effective date of this constitution are retained. Subject to the limitations in Section 21 of this Article **and except as provided in this Subparagraph 2 of this Paragraph**, the legislature by law may establish, divide, or merge judicial districts with approval in a referendum in each district and parish affected.

(2)(a) If the legislature by law divides a judicial district composed of two

1 or more parishes to create a new judicial district consisting of the entire
2 territorial jurisdiction of one or more parishes, approval of the referendum
3 shall be in the parish or parishes that shall compose the new judicial district for
4 the law to be effective.

5 (b) The provisions of Subparagraph (a) of this Paragraph shall be
6 applicable only to the Sixteenth Judicial District.

7 * * *

8 Section 2. Be it further resolved that this proposed amendment shall be submitted
9 to the electors of the state of Louisiana at the statewide election to be held on November 2,
10 2010.

11 Section 3. Be it further resolved that on the official ballot to be used at said election
12 there shall be printed a proposition, upon which the electors of the state shall be permitted
13 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
14 read as follows:

15 To allow in the Sixteenth Judicial District for the electors of a parish, upon
16 approval of a referendum, to create its own judicial district from an existing
17 judicial district when authorized by the legislature.

18 (Amends Article V, Section 15(B))

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alden A. Clement, Jr.

DIGEST

Hebert (SB 389)

Present constitution authorizes the legislature to establish, divide, or merge judicial districts with approval in a referendum in each district and parish affected.

Proposed constitutional amendment provides that if the legislature by law divides a judicial district composed of two or more parishes to create a new judicial district consisting of the entire territorial jurisdiction of one or more parishes, approval of the referendum is to be in the parish or parishes that will compose the new judicial district.

Proposed constitutional amendment further provides that it is applicable only to the 16th Judicial District Court.

Specifies submission of the amendment to the voters at the statewide election to be held on November 2, 2010.

(Amends Const. Art. V, Sec. 15(B))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and
Governmental Affairs to the original bill.

1. Makes proposed constitutional amendment applicable only to the 16th
Judicial District.